

Message Text

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EB-08 SP-02 /045 W
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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC PRIORITY 8144

INFO AMCONSUL LENINGRAD PRIORITY

AMEMBASSY ROME

AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 02638

ROME AND VIENNA FOR INS

E.O. 11652: GDS

TAGS: CGEN, CVIS, UR, US

SUBJECT: CONSULAR TALKS - THIRD ROUND

REFS: (A) STATE 35892, (B) MOSCOW 1843

1. EMBASSY APPRECIATES DEPARTMENT'S COMPREHENSIVE REVIEW OF ISSUES AND PROPOSED NEGOTIATING PACKAGE FOR US-USSR CONSULAR TALKS. WE CONCUR WITH GENERAL APPROACH AND, AS COMMENTS BELOW INDICATE, PROPOSE ONLY SMALL NUMBER OF MINORREVISIONS ON SPECIFICS. (ALL PARAGRAPH REFERENCES ARE KEYED TO REFTEL A).

2. EMBASSY CONCURS WITH TRADEOFFS AS OUTLINED PARA ONE, BUT SUGGESTS INCLUSION OF EXIT VISAS VALID FOR DURATION OF STAY OF LONG-TERM US EXCHANGEES IN OUR PACKAGE. AS INDICATED PARA FIVE, WE WOULD REQUEST THIS AS RECIPROCITY FOR PRIVILEGES ALREADY ENJOYED BY SOVIET EXCHANGEES IN US AND NOTE THAT DURING NOVEMBER 1977 EXCHANGES REVIEW TALKS SOVIETS REGARDED REQUEST "FAVORABLY" BUT DEFERRED IMPLEMENTATION TO CONSULAR TALKS. WE PROPOSE TO ADD,
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HOWEVER, THAT THIS ITEM WOULD BE IN EXCHANGE FOR OUR ISSUANCE OF A-2 VISAS TO CHAIRMAN AND DEPUTY CHAIRMAN OF STATE COMMITTEES OF CABINET RANK, WHICH WAS REQUESTED BY SOVIET SIDE EARLIER AND GRANTED BY US SIDE. IMPLICATION WOULD BE THAT IF SOVIET SIDE DOES NOT GRANT REQUESTED EXIT VISAS FOR OUR EXCHANGEES, DEPARTMENT COULD REVOKE AUTHORIZATION TO ISSUE A-2 VISAS TO STATE COMMITTEE

CHAIRMAN AND THEIR DEPUTIES. DEPARTMENT'S CONCURRENCE OR COMMENTS REQUESTED, PARTICULARLY WHETHER IT ANTICIPATES BEING ABLE TO CARRY OUT THAT THREAT, IF NEED BE.

3. EMBASSY PROPOSES TO POINT OUT TO MFA ALSO THAT EXEMPTION FROM CALIFORNIA STATE TAX, WHICH IT HAD LISTED AS IMPORTANT DESIDERATUM IN EARLIER ROUNDS OF TALKS, HAS BEEN GRANTED DESPITE FACT THAT WE DO NOT ENJOY RECIPROCITY (E.G., HIGHER RENTS, HOTEL ROOM RATES, UPDK SURCHARGES FOR "SERVICES", TURNOVER TAX).

4. RE PARA TWO: EMBASSY PROPOSES TO NOTE THE LIMITATIONS ON ONE YEAR MULTIPLE VISAS FOR SOVIET COMMERCIAL REPRESENTATIVES (I.E., PETITION REQUIREMENT FOR "L" VISAS AND RENEWAL OF STAY AFTER SIX MONTHS FOR B-1 PERSONNEL). EMBASSY ASSUMES WE SHOULD BE PREPARED TO ACCEPT COUNTERVAILING LIMITATIONS ON OUR BUSINESSMEN'S VISAS HERE.

5. RE PARAS THREE AND FOUR: EMBASSY HOPES DEPARTMENT CAN CONCUR IN LIBERALIZED ISSUANCE OF TRANSIT VISAS AS OUTLINED REFTEL B IN EXCHANGE FOR SOVIET AGREEMENT TO EXPAND NUMBER OF POINTS OF ENTRY FOR OFFICIALS AND DIPLOMATS. WE WOULD GRANT THE LIBERALIZED TRANSIT VISA PACKAGE IN TOTAL ONLY IN EXCHANGE FOR SOVIET GRANTING OF FULL TEN-FOR-TEN EXIT/ENTRY POINTS. IF MFA GRANTS LESS THAN THE FULL TEN POINTS, WE WOULD SCALE DOWN OUR TRANSIT VISA ISSUANCE
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OFFER ACCORDINGLY.

6. REGARDING 24-HOUR TRANSIT VISA CAPABILITY, WE NOTE THAT PRIOR TO ENFORCEMENT OF 21-DAY REQUIREMENT, EMBASSY HAD BEEN AUTHORIZED TO ISSUE OFFICIAL (C-3) TRANSIT VISAS ON THE SPOT VIA VISAS HORSE PROCEDURE, PROVIDED APPLICANT'S NAME NOT INCLUDED IN VLOS (INDEED MOST LATIN AMERICAN POSTS ARE STILL ISSUING C-3'S TO SOVIET OFFICIAL TRAVELERS ON THAT BASIS). WE HOPE DEPARTMENT CAN AGREE TO EXTEND SUCH TRANSIT VISA LIBERALIZATION TO NON-OFFICIAL (C-1) CATEGORY VIA LOCAL (VIENNA) INS WAIVER PROCEDURE FOR APPLICANTS NOT INCLUDED IN VLOS. WE WOULD POINT OUT TO MFA THAT AS IN ALL OTHER VISA CASES, EMBASSY RESERVES RIGHT TO EXCLUDE "PROBLEM" CASES FROM BENEFITS OF TRANSIT VISA PROPOSAL.

7. EMBASSY CONCURS IN FULL WITH PARAS SIX THROUGH NINE AND WILL CONVEY THOSE POSITIONS TO MFA.

8. EMBASSY PROPOSES TO SUBMIT NEGOTIATING PACKAGE TO MFA IN FORM OF NON-PAPER (PROPOSED TEXT FOLLOWS IN PARAGRAPH IMMEDIATELY BELOW). IF WE CAN COME TO AGREEMENT IN

PRINCIPLE ON THAT BASIS, WE WOULD REQUEST DEPARTMENT'S GUIDANCE FOR LANGUAGE TO BE EMPLOYED IN EXCHANGE OF DIPLOMATIC NOTES.

9. TEXT OF EMBASSY'S PROPOSED NON-PAPER:

QUOTE THE EMBASSY PROPOSES TO THE MINISTRY THE RECIPROCAL RESOLUTION OF OUTSTANDING US-USSR CONSULAR PROBLEMS. THEIR RESOLUTION WOULD BE ON THE BASIS OF THE FOLLOWING PROPOSED EXCHANGE REFLECTING VIEWS EXPRESSED BY EACH SIDE SINCE THE REVIEW TALKS BEGAN IN 1976:

(A) IN EXCHANGE FOR SOVIET ISSUANCE OF MULTIPLE EXIT/ ENTRY VISAS VALID FOR ONE YEAR TO ALL BUSINESSMEN OF ACCREDITED US FIRMS, US SIDE IS PREPARED TO ISSUE "L" AND

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AMEMBASSY ROME

AMEMBASSY VIENNA

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"B-1" VISAS, SIMILARLY VALID TO ALL REPRESENTATIVES OF SOVIET COMMERCIAL ESTABLISHMENTS IN US. THE US OFFER WOULD INCLUDE GRANTING AND RENEWAL OF "L" PETITIONS, WHEN FILED, FOR ONE YEAR. B-1 VISAS WOULD ALSO BE VALID FOR ONE-YEAR MULTIPLE ENTRIES, WITH STAYING PRIVILEGE OF SIX MONTHS AFTER EACH ENTRY.

(B) IN EXCHANGE FOR SOVIET AGREEMENT TO GRANT ON A RECIPROCAL BASIS TEN EXIT/ENTRY POINTS FOR PERSONNEL ASSIGNED PERMANENTLY OR TEMPORARILY TO THE EMBASSIES OR CONSULATES GENERAL OF EACH SIDE, THE EMBASSY IS PREPARED TO ISSUE TO ELIGIBLE SOVIET APPLICANTS, ON A RECIPROCAL BASIS, TRANSIT VISAS WITHIN 3-5 WORKING DAYS WHEN THERE IS A BRIEF STOP EN ROUTE IN THE US AND WITHIN ONE WORKING

DAY (24 HOURS) FOR CONTINUOUS TRANSIT WITHOUT STOP EN ROUTE.

(C) THE EMBASSY NOTES THAT IT HAS ALREADY GRANTED THE SOVIET REQUEST TO ISSUE DIPLOMATIC VISAS TO CHAIRMEN AND DEPUTY CHAIRMEN OF STATES COMMITTEES HAVING CABINET RANK. IN RETURN, THE EMBASSY REQUESTS ISSUANCE OF EXIT CONFIDENTIAL

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VISAS TO LONG-TERM US EXCHANGEES VALID FOR THE DURATION OF THEIR STAY IN THE USSR TO RECIPROCATATE A SIMILAR PRIVILEGE ALREADY ENJOYED BY SOVIET EXCHANGEES IN THE UNITED STATES. THE EMBASSY FURTHER NOTES THAT AT THE EXCHANGES REVIEW TALK IN MOSCOW IN NOVEMBER 1977, THE SOVIET SIDE INDICATED THAT THIS MATTER WOULD BE RESOLVED FAVORABLY DURING THE CONSULAR REVIEW TALKS.

(D) THE EMBASSY IS PREPARED ON A RECIPROCAL BASIS TO EXTEND COURTESY ISSUANCE OF OFFICIAL AND DIPLOMATIC VISAS WITHIN 3-5 DAYS, ALREADY ENJOYED BY PERSONNEL ASSIGNED TO THE EMBASSIES OF EACH SIDE, TO THE CONSULATES GENERAL AT SAN FRANCISCO AND LENINGRAD.

(E) THE DEPARTMENT OF STATE IS ACTIVELY WORKING ON REDUCING THE PROCESSING TIME OF BUSINESS AND EXCHANGE VISAS. THE MINISTRY IS IN FACT AWARE, THAT THE EMBASSY FREQUENTLY ISSUES SUCH VISAS IN LESS THAN THE PRESCRIBED TIME. THE US SIDE IS NOT NOW PREPARED, HOWEVER, TO ENTER INTO ANY FORMAL AGREEMENTS ON VISA PROCESSING TIMES FOR CATEGORIES OTHER THAN THOSE MENTIONED IN THE PRECEDING PARAGRAPHS.

(F) THE DEPARTMENT OF STATE, FOR TECHNICAL REASONS, IS NOT PREPARED TO EXTEND ISSUANCE OF DIPLOMATIC ("A") VISAS TO THE ADDITIONAL CATEGORIES REQUESTED BY THE MINISTRY (I.E., TO CHAIRMEN AND DEPUTY CHAIRMEN OF STATE COMMITTEES NOT OF CABINET RANK). THE DEPARTMENT WILL CONTINUE TO AUTHORIZE DIPLOMATIC ("A") VISAS TO NATIONAL GOVERNMENT DELEGATIONS DEALING WITH THE UNITED STATES GOVERNMENT IN ACCORDANCE WITH US VISA REGULATIONS.

(G) WITH REGARD TO THE QUESTION OF IMMUNITIES FOR TECHNICAL PERSONNEL AT DIPLOMATIC AND CONSULAR MISSIONS, AS CONFIDENTIAL

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THE MINISTRY IS AWARE, NEW LEGISLATION IS GOING THROUGH THE US CONGRESS. WE WILL BE PLEASED TO DISCUSS THIS

SUBJECT AFTER THE NEW LEGISLATION IS ENACTED AND INTERPRETED.

(H) THE DEPARTMENT OF STATE IS NOT PREPARED TO GO BEYOND THE PRESENT RECIPROCAL ISSUANCE OF ONE-YEAR MULTIPLE VISAS TO OFFICIAL AND DIPLOMATIC PERSONNEL.

(I) LENINGRAD POUCH PROBLEMS (LANGUAGE TO BE INSERTED BY CONGEN LENINGRAD).

(J) THE EMBASSY IS PLEASED TO NOTE THAT ONE OF THE DESIDERATUM LISTED BY THE MINISTRY AT THE OUTSET OF THE CONSULAR TALKS, EXEMPTION FROM CALIFORNIA STATE TAXES OF SOVIET CONSULAR PERSONNEL HAS BEEN GRANTED. THE EMBASSY NOTES THAT THERE IS AN IMBALANCE IN THIS RESPECT, IN THAT AMERICAN DIPLOMATIC AND CONSULAR PERSONNEL IN THE USSR ARE NOT EXEMPT FROM THE TURNOVER TAX, MUST PAY SURCHARGES TO THE UPDK FOR SERVICES (E.G., GAS COUPONS, AIR FREIGHT BILLS) WHICH ARE NOT REQUIRED IN THE US, AND MUST PAY HIGHER RENTS AND HOTEL ROOM RATES THAN DO SOVIET CITIZENS. END QUOTE.

10. EMBASSY WOULD APPRECIATE DEPARTMENT'S CONCURRENCE OR COMMENTS ON EMBASSY'S PROPOSED NON-PAPER, PARA 9 ABOVE, AS WELL AS ON OTHER POINTS RAISED ABOVE, PARTICULARLY IN PARAS 2,4,5, AND 6. MATLOCK

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